MEETING of the Burrillville Town Council held Wednesday, January 13, 2016 at 7:00 P.M. in Council Chambers, 105 Harrisville Main St., Harrisville, for and within the Town of Burrillville.

PRESENT: Council President John F. Pacheco III and Councilors Stephen N. Rawson, Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox and David J. Place

MEMBERS ABSENT: Councilor Kimberly Brissette Brown was excused

- 1. Council President John F. Pacheco III led those present in pledging allegiance to the flag
- 2. VOTED to accept the minutes of the regular meeting held December 9, 2015 and dispense with the reading of said minutes.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Resident Ryan C. Cook was congratulated on attaining the rank of Eagle Scout.

Michael C. Wood, Town Manager, was recognized for 20 years' service to the Town.

Councilor Kimberly Brissette Brown was wished a happy birthday.

5. Special Business:

16-001 The Oath of Office was administered to Probationary Patrol Officer Rebecca Hein.

16-002 VOTED to open the correspondence from Burrillville Police Department relative to completing all requirements to be considered for Rhode Island State Accreditation.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

The Police Department formally received Rhode Island State Accreditation. All those involved were recognized and congratulated.

16-003 VOTED to ratify a proclamation honoring Ryan C. Cook on attaining the rank of Eagle Scout, as follows:

Whereas, Ryan C. Cook is being honored for his accomplishments in Scouting after having attained the commendable rank of Eagle Scout; and

Whereas, The Scouts, Leaders and Members of the Committee of the Boy Scout Troop 100 Pascoag take great pride and pleasure in Ryan's accomplishment; and

Whereas, As a member of Troop 100 in Pascoag, Ryan C. Cook has earned fifty-five merit badges; and

Whereas, Ryan has served his troop in a variety of leadership roles including Assistant Patrol Leader, Patrol Leader, Quartermaster, Instructor, Assistant Senior Patrol Leader and Senior Patrol Leader; and

Whereas, Ryan's Eagle Scout project involved cleaning the markers of all Veterans buried in St. Patrick's Cemetery located in Harrisville, in Pascoag Cemetery in Pascoag and at St. Theresa's Cemetery in Nasonville; and

Whereas, During his efforts, Ryan identified some markers that through the years had become completely buried and rendered them clean, sturdy and visible; and Whereas, Ryan's project resulted in clear markers which are a fitting

tribute to Burrillville Veterans; and

Whereas, On January 10, 2016 Ryan C. Cook is being honored for

attaining the rank of Eagle Scout and the Town Council of the Town

of Burrillville joins his family in congratulating him on his

achievement.

Now therefore be it resolved that we, the Town Council of the Town of

Burrillville on this 10th day of January 2016 do hereby honor and

commend Ryan C. Cook for obtaining the rank of Eagle Scout and all

of the accomplishments that entails.

Be it further resolved that we, the Town Council of the Town of

Burrillville, do hereby wish Ryan C. Cook well in all of his future

endeavors.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Michelle

D. Bouchard. The vote was unanimous by the six members present.

Voting in favor of the motion were Council President John F. Pacheco

III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A.

Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly

Brissette Brown was excused.

6. Petitions: None

7. Public Hearing: None

8. Unfinished Business: None

9. New Business:

16-004 VOTED to open the correspondence from Council President John F. Pacheco III regarding the North Smithfield Town Council's request for a joint meeting relative to the prospect of the Burrillville Waste Water Facility managing sewer services for the Town of North Smithfield.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

VOTED to authorize the President of the Town Council to either attend or have a designee attend a joint meeting with North Smithfield and their delegation when time permits.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A.

Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-005 VOTED to open a resolution accepting Ledgewood Lane at Smith Estates in its entirety from station 4+00 to the cul-de-sac into the Town's highway system, as recommended by the Burrillville Planning Board.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

VOTED to adopt a resolution accepting Ledgewood Lane at Smith Estates in its entirety from station 4+00 to the cul-de-sac into the Town's highway system, as recommended by the Burrillville Planning Board.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-006 VOTED to open the correspondence from Aaron J. Coutu, Chairman, Jesse M. Smith Library Board of Trustees, regarding his request that the Town Council consider library-related ordinance language; and related correspondence from Michael C. Wood, Town Manager.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

Discussion: The proposed ordinance relative to the Jesse M. Smith Memorial Library was reviewed and discussed.

VOTED to receive and file.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-007 VOTED to approve FY2017 budget dates for public hearings and budget adoption.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-008 VOTED to receive and file the Pascoag Reservoir Dam Management District annual report for year-end July 31, 2015.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-009 VOTED to receive and file the correspondence from RI Department of Environmental Management Freshwater Wetlands Program to Nardelli Properties LLC regarding an Insignificant Alteration Permit: wetland application #15-0236 in reference to property located near Pascoag Main St. (Assessor's Map 175, Lots 60 and 61).

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-010 VOTED to appoint William Guertin to be Town Tree Warden for 2016, subject to the approval of the Director of the Department of Environmental Management.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-011 VOTED to refer to the Screening Subcommittee the applications for reappointment from Aaron J. Coutu, Dorothy Karolyshyn and Matthew J. Nasif of the Juvenile Hearing Board and Tony Wood of the Personnel Board.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present.

Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-012 Correspondence from Council President John F. Pacheco III regarding the extension of the term of Councilor Kimberly Brissette Brown on the Board of Administration.

VOTED to extend as requested.

Note: Councilor Brissette Brown's term was set to expire on November 30, 2016.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-013 Correspondence from Councilor David J. Place, Chairman, Screening Subcommittee, regarding the Subcommittee's recommendation to appoint Raymond J. Trinque as a member of the Sewer Commission to complete an unexpired three-year term to expire June 30, 2016.

VOTED to appoint Raymond J. Trinque as a member of the Sewer Commission to complete an unexpired three-year term to expire on June 30, 2016, noting that he resigned this afternoon from the School Committee.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-014 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding his request for an appropriation for professional and legal services, ancillary costs and expenses relative to Invenergy (Clear River Energy Center) and TransCanada.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Donald A. Fox. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

VOTED to appropriate a sum of up to \$100,000 from the Town debt

reduction fund.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-015 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding his request for approval of services and firms to provide various professional services that may be needed to review and evaluate the proposed power plant projects within the Town of Burrillville.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

VOTED to support as presented and the hourly rates as proposed.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present.

Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

Note: The services, firms and hourly rates approved are as follows:

Hessler Associates, Inc. Noise Principal, George F. Hessler, Jr (Note 1) \$210

Principal, David M. Hessler

(Note 1) \$195

Computer Noise Modeling Technician \$165

Field Technician: \$135

Note 1: This rate applies to all tasks performed for the client except witness preparation and

expert witness duties. Expert witness preparation is defined as on-site preparation in

lawyer/ client meetings. Expert witness testimony is defined as any testimony before any formal

regulatory body, such as a state public utilities commission. The rate for these services is

\$225/hour.

CDR Maguire Traffic

Environmental

Storm Water (water quality)

Utilities: Water and Sewer

Hazardous Materials Project Manager/Chief Engineer \$150

Principal Engineer/Planner \$139

Senior Engineer/ Planner \$113

Staff Engineer/Planner \$88

Designer (CADD) \$77

Construction Inspector \$82

Administrative/Clerical \$72

George E. Sansoucy, P.E., LLC

Regulatory process and general consulting Principal engineers and senior appraisers, including court testimony and deposition attendance \$290

Research engineers, associates, appraisers, MBAs \$225

Technical personnel

\$175

Clerical personnel \$125

Schacht & McElroy Legal Services Michael R. McElroy

Leah Donaldon \$375

\$275

Legislation:

16-016 Charlestown Town Council's request for support of legislation to control blasting.

VOTED to support.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

10. Town Clerk/Communication:

16-017 VOTED to receive and file the correspondence from Spectra Energy regarding FERC Open House Notification, PF16-1-000: Algonquin Gas Transmission, LLC – Proposed Access Northeast Project.

Motion by Councilor Nancy F. Binns. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

Discussion: Kathryn Sherman and Mark Brizard informed the Town Council that they had not received notice of the open house.

VOTED to open.

Motion by Councilor David J. Place. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

VOTED to send correspondence to Spectra Energy and inform them of our displeasure with their lack of communication with our residents.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-018 VOTED to receive and file the correspondence from Spectra Energy regarding Algonquin Gas Transmission, LLC – Access Northeast Project – Initial Draft Resources Reports 1 and 10; FERC Pre-filing Docket No. PF16-1-000.

Motion by Councilor Nancy F. Binns. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco

III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-019 VOTED to open the correspondence from Marla Butts, Wetlands Agent, Town of Thompson, CT, regarding notification of pending inland wetlands and watercourse application #IWA15029, River Junction Estates LLC, Star Road, Thompson Assessor's Map 154, Block 3 (No Lot Number).

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

Discussion: There was discussion as to whether the project was a concern to the Town of Burrillville.

VOTED to refer to the administration.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Michelle D. Bouchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard,

Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

16-020 VOTED to open the correspondence from Oleg Nikolyszyn, Town Solicitor, regarding Dismissal Stipulations of Ocean State Power Superior Court cases #2014-6201, #2014-1456, #2012-1847, Dismissal Stipulations of Ocean State Power Supreme Court case #SU-15-26 and Judgment and Mandate from 1st Circuit Court of Appeals case #15-2041.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

VOTED to receive and file.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

11. VOTED to received reports a) through x), as follows:

- a) Animal Control Officer: Reports of November and December 2015
- b) Board of Canvassers: No report
- c) B-PAC: No report
- d) Budget Board: No report
- e) Building Official: Report of December 2015
- f) Burrillville Extended Care Board of Directors: Meetings of July 7 and September 1, 2015
- g) Burrillville Extended Care: Report of December 2015
- h) Charter Review Commission: Meeting of November 18, 2015
- i) Conservation Commission: No reports
- j) Emergency Management Agency: No report
- k) Finance Department (Treasurer and Tax Collector): Reports of November and December 2015
- I) Housing Authority: Meeting of November 19, 2015
- m) Information Systems Department: Report of December 2015
- n) Jesse M. Smith Library Board of Trustees: Meeting of November 5, 2015
- o) Ordinance Subcommittee: Meeting of September 10, 2015
- p) Personnel Board: Meetings of October 13 and November 17, 2015
- q) Planning Board/Town Planner: Meetings of November 2 and December 7, 2015
- r) Police Department: Report of November 2015
- s) Public Works: No report
- t) Recreation Commission: Meeting of October 13, 2015

- u) Redevelopment Agency: No report
- v) School Committee: Meeting of November 10, 2015
- w) Screening Subcommittee: Meeting of November 19, 2015
- x) Sewer Commission: No report

Motion by Councilor Michelle D. Bouchard. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

12. Additional New Business:

16-021 VOTED to grant the request for executive session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law:

- a) §42-46-5(a)(2) for discussion and action relative to matters of litigation between the Town and TransCanada (Ocean State Power); and
- b) [§42-46-5(a)(2) for discussion and action relative to acquisition or exchange of real property (portions Map 140, Lot 11 and portions of Map 140, Lot 31); and
- c) §42-46-5(a)(2) for consideration and action relative to collective bargaining between the Town of Burrillville and FOP, Lodge 27

Motion by Councilor Nancy F. Binns. Seconded by Councilor Donald A. Fox. The vote was unanimous by the six members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Michelle D. Bouchard, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilor Kimberly Brissette Brown was excused.

The Town Council returned to open session at 8:31 P.M. Councilor Michelle D. Bouchard had recused from item c) in executive session and left the building. Councilor Bouchard was excused for the remainder of the meeting.

VOTED to seal the minutes of executive session noting that two votes had been taken.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilors Michelle D. Bouchard and Kimberly Brissette Brown were excused.

§42-46-5(a)(2) for consideration and action relative to collective bargaining between the Town of Burrillville and FOP, Lodge 27

VOTED to ratify the collective bargaining agreement between the

Police Officers and the Town.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilors Michelle D. Bouchard and Kimberly Brissette Brown were excused.

16-022 VOTED to authorize Michael C. Wood, Town Manager, to sign Permanent Easement Agreements with property owners on North Road (portion of Map 140, Lot 11) in conjunction with the bridge replacement project designated as the "Bridge Replacement North Road Bridge #412."

Motion by Councilor Donald A. Fox. Seconded by Councilor David J. Place. The vote was unanimous by the five members present. Voting in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilors Michelle D. Bouchard and Kimberly Brissette Brown were excused.

13. VOTED to adjourn at 8:32 P.M.

Motion by Councilor David J. Place. Seconded by Councilor Nancy F. Binns. The vote was unanimous by the five members present. Voting

in favor of the motion were Council President John F. Pacheco III and Councilors Nancy F. Binns, Donald A. Fox, David J. Place and Stephen N. Rawson. Councilors Michelle D. Bouchard and Kimberly Brissette Brown were excused.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk